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@Meeting

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**SAN JOAQUIN COUNTY  
DELTA WILDLIFE MITIGATION BANK PROJECT**

The concept is to obtain conservation easements on  $\pm$  50,000 contiguous acres of farmlands in the Lower Delta to preserve the basic agricultural nature of the area which provides habitat for migratory waterfowl and related bird and animal populations.

Funding for the purchase and enforcement of the easements would be provided through wildlife/farmland mitigation requirements placed upon those who convert other open space/agricultural properties to inconsistent uses. The money would come from the would-be converter of other land, through mitigation conditions imposed by the Cities or the County granting the permits for the conversion.

Funds would be accumulated in a non-profit corporation or trust established for the purpose, which would be administered by directors or trustees reflecting both agricultural and conservation interests. The proponents of the Project would form the corporation or trust with the advice and cooperation of the County of San Joaquin and its Cities (perhaps through LAFCO).

The Corporation or Trust would purchase and enforce the conservation easements, starting with those Lower Delta lands most likely to be converted to other incompatible uses (i.e., closest to existing or proposed developments), but eventually including other contiguous Lower Delta islands in San Joaquin County and perhaps expanding into the Contra Costa and Sacramento County portions of the lower Delta.

The Conservation Easement would relinquish the right to subdivide or otherwise convert the areas within those lower Delta islands from agricultural or wildlife conservation uses, and would require that agricultural practices continue to be compatible with wildlife habitat requirements, as interpreted and enforced by the corporation/trust. This presumably would require that farming practices include a healthy proportion of small grain and other crops which provide food for migratory waterfowl and related species and which, when seasonally flooded, provide beneficial "wetlands" habitat, and could include appropriately managed water conservation projects, such as that proposed by Delta Wetlands.

The focus of this program would be upon the lands within the levees, not the levees themselves, the uses of which for flood

protection, farm buildings, recreational clubhouses and the like would be reserved from the easement.

From preliminary exploration it would appear that such conservation easements could be obtained in the range of \$1,000 to \$2,000 per acre, suggesting the initial capital cost of obtaining easements on the entire 50,000 acres would range from \$50 to \$100 million. Assuming that mitigation fees were imposed as a condition of conversion of existing agricultural or open space properties in the range of \$5,000 to \$10,000 per acre, this capital cost would be generated from mitigation fees imposed upon approximately 10,000 acres of converted lands.

The perceived benefits of this program are several fold:

1. 50,000 acres of contiguous farmlands which currently comprise habitat of unestimable value to migratory waterfowl, and wildlife generally, will not be converted into real estate developments.

2. The money paid to the landowners for the conservation easements will reduce the economic pressures on those owners, which otherwise accelerate the rate of conversion of those lands to other uses. In fact, some thought should be given to imposing a restriction on the funds paid to ensure that they are used first to retire reclamation district debt or other secured debt, or to fund flood control improvements.

3. The management of the lands on which the conservation easements are acquired (subject to compliance review by the Corporation or Trust) would be by the farmers retaining the underlying ownership, thereby largely avoiding burdensome operation and maintenance efforts and costs. With the preservation of the agricultural character of the area thus assured, other wetlands and wildlife habitat enhancement projects could be undertaken within the project area, such as the SB 34 Wildlife Mitigation Program currently being discussed by the Departments of Fish and Game and Water Resources, and the Swainson Hawk mitigation program being pushed by the Department of Fish and Game.

4. Wildlife and agricultural land mitigation energies will be concentrated into a coherent, large-scale project rather than the fractionalized, disorganized result of relying upon each would-be converter to identify and acquired mitigated lands, as is the current practice.

The proponents of this concept feel that a pilot project could be initiated at the local level through the Cities and Counties of San Joaquin, participating farmers and conservation interests without waiting for a state-wide legislative mandate.